

Town of Milton

115 Federal Street
Milton, DE 19968



www.milton.delaware.gov

Phone: 302-684-4110

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AGENDA

Milton Town Council Meeting

Grace Church Fellowship Hall, 512 Union Street

Monday, April 5, 2021

6:30 pm Regular Meeting; Executive Session immediately following regular session

PLEASE NOTE – AS PERMITTED BY GUBERNATORIAL AUTHORITY, IN ORDER TO LIMIT THE RISK OF POTENTIAL COVID-19 EXPOSURE, THERE SHALL BE LIMITED ENTRY TO THE TOWN COUNCIL MEETING.¹ THE PUBLIC IS ENCOURAGED TO PARTICIPATE IN THE COUNCIL MEETING EITHER BY ATTENDING OR CONNECTING ELECTRONICALLY. FURTHER INSTRUCTIONS ARE LISTED AT THE BOTTOM OF THIS AGENDA.

1. Call to Order
2. Roll Call
3. Additions or Corrections to the Agenda
4. Agenda Approval
5. Moment of Silence
6. Pledge of Allegiance to the Flag
7. Swearing-in of Councilmembers
8. Nomination and confirmation of Vice-Mayor, Secretary, and Treasurer
9. Certificates for Years of Service
10. Lifetime Volunteer and Citizen of the Year Awards
11. Public Participation
12. **Public Hearing relating to Ordinance 2021-002 to amend Chapter 220 of the Town Code entitled “Zoning”, regarding Non-Conforming Use**
13. Town Manager’s Report
14. Requests for removal of items from the Consent Agenda
15. Approval of the Consent Agenda on the following items:
 - a. Written Committee Reports
 - b. Written Department Reports: Town Managers Report, including the Administrative, Project Coordinator, Police, Code Enforcement, and Public Works Department Reports
 - c. Finance Report and Statement of Revenues and Expenditures for January 2021 and February 2021
 - d. Minutes: March 1, 2021
 - e. Executive Session Minutes: March 1, 2021
16. Discussion and possible vote on items removed from the Consent Agenda
17. Old Business – Discussion and possible vote on the following items:
 - a. Ordinance 2021-002 to amend Chapter 220 of the Town Code entitled “Zoning”, regarding Non-Conforming Use
18. New Business – Discussion and possible vote on the following items:
 - a. Appointments and reappointments of Town committees

- b. Request from Milton Attainable Housing, LLC to develop six parcels identified by Tax Map Parcel # 235-14.00-123.00, 235-14.00-123.01, 235-14.16-1.00, 235-14.16-2.00, 235-14.16-3.00, and 235-14.16-4.00 and forward the preliminary plan to the Planning and Zoning Commission for review
- c. Contract Award for the Shipbuilders Paving Project- Contract 2021-002
- d. Contract Award for the Water System Improvements Project- Contract 2021-001
- e. Memorandum of Understanding between the Town, Milton Community Foundation and the Milton Historical Society in reference to the Bryan Stevenson plaque
- f. Request from the Milton Chamber of Commerce to close a portion of Magnolia Street for the Horseshow Crab & Shorebird Festival

19. Executive Session:

- a. Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion would disclose the contents of such documents.
- b. Strategy sessions, involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public body.

20. Discussion and possible vote on Executive Session items

21. Adjournment

Pursuant to 29 Del. C. § 10004(e) (2), Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the Meeting. Pursuant to 29 Del. C. § 10004(e) (4), this Agenda was prepared and posted by the Town Clerk on March 29, 2021 at 4:15pm.

-MEETING INSTRUCTIONS-

Milton Town Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. The meeting will be conducted in person and by teleconference technology.

To join the meeting via phone, please dial:

Dial -in Number: (425) 436-6360 Passcode: 500943
Or

Video and Screen Sharing:

Online meeting ID: tquass

Online meeting link: <https://join.freeconferencecall.com/tquass>

Members of the public joining the meeting on the phone will be provided an opportunity to make comments under the Public Comment section of this agenda only.

If any member of the public would like to submit comments electronically, please feel free to send them to krogers@ci.milton.de.us. All comments shall be submitted by 4:30 P.M. on Monday, April 5, 2021.

¹Restrictions are being implemented to limit the exposure and risk related to "COVID-19" for Town personnel and members of the public who seek to attend the Town Council Meeting. Facial coverings will be required as well as practicing social distancing and the use of hand sanitizer at the door upon entry. These decisions are being made under the authority issued by Governor John C. Carney through Proclamation No. 17-3292. See: <https://governor.delaware.gov/proclamation-173292-03132020/>.

**Milton Traffic Calming Advisory AD HOC Committee
Cannery Village Clubhouse
Meeting Minutes
27 Jan 2021**

Attendees: Randi Meredith, Councilwoman, Chairperson
Susan Fewell, Lisa Falzarano, Mary Quigley, Hunter Willis, Bonnie Bloomquist (scribe),
Derrick Harvey, Chief of Police; Greg Wingo, Public Works Supervisor (non-voting members)

ORDER OF BUSINESS

- Call to Order, by Councilwoman Meredith:
- Roll Call, Agenda read and approved with no additions or corrections
- Resolution 2021-003 read:
 - To establish and appoint members to a Traffic Calming Advisory Ad Hoc Committee to sunset on Aug 30, 2021
- Review of Regulations, Rules and Etiquette for the Committee:
 - Purpose: To identify problems & solutions, examples provided
 - Report of findings and recommendations for review/acceptance to Mayor and Council during regular scheduled Council meeting on July 12, 2021; recommendations will then be forwarded to appropriate committee/judication party (e.g., DeIDOT)
 - FOIA & Email Rules were reviewed regarding "Reply all" to committee members, when this occurs the email information becomes public because it constitutes a quorum
- Welcome and Opening Words by Mayor Ted:
 - The Mayor shared his experience regarding the speed limit and radar sign on his street
 - He believes the committee's task will be a challenge
- Nomination of Secretary, Bonnie Bloomquist, PASSED

AGENDA

Topic: *Potential approaches to accomplishing the responsibilities of this Ad-Hoc Cmte (e.g., comprehensive plan/report, newsletter, survey, research)*

a. Discussion

- Councilwoman Meredith reported she asked Kristy Rogers for recommendations for best approaches, surveys have previously been used and sent out along with the Water Bills in April
- Committee agreed a survey should be sent sooner; it is possible to mail survey with Tax Bill on Monday, Feb 1, 2021, a short turn-around time
 - Responses will help to serve as a needs assessment to provide the Committee with public concerns and to establish priorities
- Brief discussion to identify general survey-related questions, included:
 - What times of day do traffic issues occur?
 - ID issues that concern you most.
 - What different ways do you travel?
 - What areas/issues concern you most? Safety, speed noise, heavy haul trucks/tractors
 - Identify dangerous intersections, crosswalks

Action Item, Person Responsible, Due Date

TABLED

- b. **Topic:** Potential assignment of responsibilities among Committee members.
TABLED

- c. **Topic:** Research on traffic management
Discussion

- Council Woman Meredith reported that ite.org has Traffic Calming information that will likely be useful

Action Item, Person Responsible, Due Date

H. Willis to review/research information provided on the ITE.org website to report at the Ad-Hoc Committee meeting next month

- d. **Topic:** *Review traffic measures already in place and future plans in motions; law enforcement, signage, intersection improvements, others*

General Discussion:

i. Traffic measures already in place:

- Chief Harvey confirmed that radar speed detectors are moved to different locations, Committee members reported noticing slower traffic on Chestnut Street & Federal Street when the signs are there
- Greg Wingo reported the following:
 - No new signage has recently been added
 - Radar detectors operate only to discourage traffic and are different than other traffic speed measures
 - Councilwoman Meredith asked what the upper limit of the radar signs are, as they don't appear to give a readout over 29MPH and shows "- -" when a vehicle is exceeding 29mph.
 - Mr. Wingo stated that means no one is going over 29mph, and that he has tested the radar speed detectors on Lavinia Street.
 - They cost between \$1-15K+, Milton's radar speed detectors costs were minimal.
 - Mr. Wingo said he would test the speed on the sign on Chestnut Street after the meeting.
- Committee Questions to Greg Wingo:
 - How do new traffic signs get put into place? This is provided by DelDOT depending on the identified issues
 - What is the process to get 4/way stop signs via DelDOT? DelDot shot down a 4 way stop on Mulberry/Magnolia and Lake Dr, they said we could add extra signage but did not want to slow traffic flow in that area. Changes on State Maintained Roads whether for signage, striping, speed change and signal light installation, DelDot will need to perform a traffic study to complete their review.
 - What were previous attempts to lower speed limits: The only study that I am aware of but have not ever seen it is when the New HOB School was in design, I'm pretty sure a traffic study had been completed for that area. I believe a traffic study was performed for RT16/Mulberry and RT16/RT5 but again I have not ever seen it.

ii. Future Traffic measures:

- Intersections currently under discussion are: Chestnut and Wharton, Lavinia and Mulberry
- A DelDOT resource should be identified to contact

Action Item, Person Responsible, Due Date:

Greg Wingo to provide DelDOT Contact to Randi Meredith

- e. **Topic:** *Large Truck Traffic; issues, impacts, solutions*

Discussion:

- Councilwoman Meredith reported one of her neighbors has followed large trucks that are traveling through Milton and identified that most end up at Dogfish.
- Truck routes are determined via various GPS systems
- Heavy construction vehicles were also identified by the Committee as problematic
- There are State Laws to protect small state roads; Rt 16 through Ellendale is an example, Federal/Rt 5 is protected but restrictions are not clear
- It was agreed that the types of trucks doing business in Milton should be identified
 - B. Bloomquist noted that the Milton Police Department has cameras in front of the station, it was recommended that reviewing the film would identify the number/frequency and type of trucks making deliveries in town

Action Item, Person Responsible, Due Date:

- i. Councilwoman Meredith will contact Dogfish Head Liaison: Benjamin Loverin
Appointments@Dogfish.com #302/499-3204
- ii. S. Fewell will research laws regarding local deliveries

PASSED

- f. **Topic:** *Dangerous Intersections*

TABLED

- g. **Topic:** *Crosswalks with Limit Lines*

Discussion: Greg Wingo corrected the term, should be referenced as "Stop Bar," not "Limit Lines."

Pedestrian crosswalks along Rt. 5 were briefly identified

TABLED, Pending survey outcome

- h. **Topic:** *Signage, issues, solutions: (e.g., general direction signs to bike paths)*

TABLED

- i. **Topic:** *Create newsletter/survey*

Discussion: See above, Agenda Topic "a"

Action Item, Person Responsible, Due Date:

Councilwoman Meredith will generate questions and send draft to Committee Members for review/edits; due to Kristie Rogers Feb 1, 2021.

PASSED

- j. **Topic:** *Traffic Study, recommending it, funding it*

Discussion: Councilwoman Meredith will research

Action Item, Person Responsible, Due Date:

Councilwoman Meredith will research and report at next meeting

PASSED

- k. **Topic:** *Conduct walk audits*

Discussion: AmericaWalk.org provides "how to" steps to complete this task

Action Item, Person Responsible, Due Date:

Councilwoman Meredith will provide information at next meeting

PASSED

New agenda item: *Identify sidewalks needed due to safety concerns (e.g., Lavinia St.)*

Next meeting: Feb 24, 2021 (Wed @6:30, Cannery Village Clubhouse)

Meeting Adjourned @ 8:00pm



DEPARTMENT MONTHLY REPORT

Meeting: Milton Town Council - Apr 05 2021

Staff Contact: Kristy Rogers, Town Manager

Department: Admin

Subject: Town Manager's March Report

Departmental Highlights:

- Viewed Delaware League of Local Government, Cyber Security Meeting.
- Reviewed and processed quarterly Utility Bill discrepancies with Mr. Wingo.
- Met on-site with representatives of Pennoni, Mr. Wingo, and property owner related to town drainage issue. Planning still on-going.
- Participated in the municipal call with Governor Carney related to coronavirus.
- Held Town Supervisors meeting; topics included iCompass implementation, role as committee liaisons, communication, capital improvements projects, DeIDOT Route 1 & 16 project, coronavirus/supplies, and departmental specific tasks and updates.
- Attended the mandatory pre-bid meeting on the Water System Improvements project.
- Hosted Board of Elections meetings; assisted with closing of the polls.
- Attended Sussex County Association of Towns, Steering Committee; speaker was the Department of Elections.
- Met with representatives of Tidewater on project/site plan updates related to new facility.
- Viewed the DeIDOT Coastal Corridor Study webinar (focus is the transportation corridors from Route 404 at Maryland state line, to Route 1).
- Continued implementation trainings with iCompass; supervisors also participated in training. Set-up is complete for staff soft-launch with April's Town Council meeting; iCompass will be "live" April 26, for use beginning with the May 3 Town Council meeting.
- Participated in the quarterly meeting of the City Managers Association of Delaware.
- Met with in-coming Councilmembers Collier and Revis-Plank.
- Met with developer related to potential annexation.
- Held pre-bid meeting for Shipbuilders paving project.
- Coordinated and assisted with email conversion.
- Viewed State-wide benefits webinar on FY22 updates.
- Coordinated coronavirus vaccine appointments for staff.
- Held, with the Delaware Public Integrity Commission, Ethics/Code of Conduct training for staff and elected officials.
- Participated in quarterly DFIT insurance meeting.

- Viewed National League of Cities (NLC) webinar on the local-share funding from American Rescue Plan Act (ARPA). Guidelines are broad at this point; Treasury has a 60-day window to issue guidelines. Summary - local governments are to receive direct funding from the ARPA. Being Milton is less than 50,000 population, funding will be received through the State of Delaware. More information to come, as made available.
- Attended, virtually, the Planning and Zoning meeting March 16.
- Met with/responded to various citizen inquiries.
- Met, virtually, with Town Engineer on the status of projects.
- Continued organization and oversight of Town projects and administrative matters, and meetings with supervisors and staff members.

Project Updates:

- Milton Rails to Trails, Phase II (Federal Street to Lavinia Street): Waiting on design plan and lighting quotes based on the Committee recommendation to Town Council. Field-side plantings are tentatively scheduled late-April (more information to come).
- Town Comprehensive Plan: Zoning Code under review for revisions. A utility/construction manual has been reviewed by Mr. Wingo and comments sent to Pennoni to proceed. In the upcoming few months, the Chairman of Planning and Zoning and I will be meeting to determine next goal and implementation items.
- Wagamon's Water Main Extension: Town is trying to finalize needed easement; waiting for property owner review and signature.
- Shipbuilders Well and Treatment Facility: Progress meeting was held March 18. Delmarva Power agreement for service has been authorized; project seems back on schedule for substantial completion May 17.
- Magnolia Street / Municipal Parking Lot drainage (including bulkhead): Public Works Supervisor completed design plan review; waiting for updates, then will proceed with permit applications.
- Sidewalk Repairs: Sidewalk violation letters were mailed August 21st. Mr. Wingo and Mr. Wilson have been meeting with residents on needed repairs. Follow-up is on-going.
- Community Impact Fee Study: The fee study is in progress; the Town Manager was tasked to develop a Capital Improvements List for the next five years to gauge infrastructure investment. Town Supervisors are continuing to evaluate costs of CIP lists. CIP will also be under review by the Water Committee and Streets, Sidewalks, and Parks Committee in April.
- Atlantic Avenue (from Union Street to Country Road), Chestnut Street (from Front Street to Coulter Street) and a portion of Atlantic Street: water main, valve, corporation and town service line replacement – Project was placed out to bid beginning February 16th. Mandatory pre-bid meeting was held virtually on March 4; there are 12 eligible bidders. Continuing work on loan closing.
- Homeland Security Grant: grant relinquished to another entity.
- ADA Transition Plan and Self-Assessment Report: coordinating efforts with University of Delaware, Center for Transportation, for assistance and development of required plans. Funding was approved in the FY2019 Town budget and carried into FY2020 and FY2021.

- Purchasing Procedure: Ad-Hoc Finance Committee will forward to Mayor and Town Council once ready for adoption.
- Capital purchase policy and procedure: Finance Committee is preparing and will forward to Mayor and Town Council once complete. A draft has been prepared and will be put to “test” during the six-month budget review process.



DEPARTMENT MONTHLY REPORT

Meeting: Milton Town Council - Apr 05 2021

Staff Contact: Stephanie Coulbourne, Town Clerk

Department: Admin

Subject: Admin Monthly Report

Departmental Highlights:

In addition to administrative functions, below are highlights completed by the administrative staff for the month of March:

- Prepared and posted agendas for Town Council, Planning and Zoning, Board of Adjustment, and Traffic Calming Ad-hoc Committee.
- Transcribed Town Council meeting minutes for March 1, 2021.
- Attended the Board of Elections meeting to certify the candidates for the 2021 Municipal Election.
- Issued forty-three absentee ballots for the municipal election.
- Maintained municipal election records and secured absentee ballots returned to Town Hall.
- Worked with the Department of Elections in Sussex County to prepare for the 2021 municipal election.
- Opened and set up Goshen Hall for the municipal election. Cleaned up Goshen Hall after the election.
- Assisted the Board of Elections and the Election Officers with the 2021 Municipal Election
- Attended the SCAT Steering Committee meeting,
- Participated in a conference call with Governor Carney's office.
- Attended State Wide Benefits training for annual enrollment of employee health benefits.
- Posted departmental monthly reports and Town Council minutes on the website.
- Coordinated a benefits meeting with AFLAC for new hires.
- Coordinated and attended Ethics Training with the Public Integrity Commission for both town staff and Town Council.
- Attended "Celebrating Women in Delaware Local Government: Conversations with City/Town Managers".
- Prepared and mailed 129 certified water disconnect notices for delinquent accounts. All accounts have been paid or now have payment arrangements.
- Researched and completed four FOIA requests

- Participated in supervisor training sessions on the iCompass software.
 - Prepared Town Council agenda and packet for a soft launch of the iCompass software system.
 - Submitted monthly pension contributions for all employees.
 - Processed accounts payable checks on a weekly basis.
 - Processed requests from mortgage companies seeking tax and utility balances for six settlements and seven refinances.
 - Attended monthly supervisors meeting.
 - Conducted an administrative staff meeting.
 - Processed payments daily for tax and utility accounts.
 - Continued with the records retention project.
 - Continued organization and oversight of Town administrative matters.
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DEPARTMENT MONTHLY REPORT

Meeting: Milton Town Council - Apr 05 2021

Staff Contact: Greg Wingo, Public Works Supervisor

Department: Public Works

Subject: Public Works

Background Information:

P.W. Monthly report is provided to show Mayor and Council some work that P.W. Departments are working on over the last month.

Departmental Highlights:

For the month of March, I have supervised the daily, weekly and monthly task for Public Works: Water, Streets and Parks Departments, answered several phone calls, answered questions from Council, residents, contractors, outside agencies, town engineer and town staff, reviewed and signed off on 18 new building permits and closed out 31 building permits, attended meetings for Heritage Creek Development Punch List issues for Phase 3A and 3B, Shipbuilders Treatment Plant Faculty progress meeting, Shipbuilders Paving pre-bid meeting, P.W. staff meetings, supervisors meeting, meetings with residents, Council meeting, traffic Calming ad-hoc meeting, DFIT Safety Meeting, meetings with tree contractors for quotes on the paper alley way known as Plum Alley for quotes, meeting with conduit boring contractor for Rails to Trails #2 Lighting project, meeting on-site regarding the storm drain issue off of Atlantic Ave, meeting with Delmarva Power on Rails to Trails #2 Lighting project and on street light issues in town, reviewing plans for the bulkhead and parking lot project and making comments, reviewing construction plans for the Atlantic St., Atlantic Ave. and Chestnut St main upgrade project, inspections on the Shipbuilders Treatment Facility project, inspections on sidewalk repairs, inspections on road patching, covid updates with staff, safety tool box talks on playground safety and using hand tools. Training: metal detection for locating, tank design, utility mapping, ground penetrating radar, phenomena of surge and ethics training. P.W. has started meter readings for the second qtr. Billing. Below you will see a summary of highlights and updates on projects.

Water Department

- Water Leaks: 1400 Palmer St (leak inside apartment, plumber made repairs), 501 Palmer St (leak in crawl space, plumber made repairs).
- Wagamon's Water Main Ext. Project: Waiting on the status of the easement agreement to be signed by property owner.
- Shipbuilders Treatment Facility: All of the outside water piping and sewer piping has been completed and tested, building sides and roof have been completed, all the contractors are working together inside the structure and project is moving forward very well.
- Atlantic Ave/Chestnut St. and Atlantic St. Water Main Projects: Pre-bid meeting went good with a good turnout. We are waiting for the bids to come in.
- Water Facility Maintenance: P.W. Staff is moving along very well on making repairs and painting. I have performed all the inspections in the buildings and I will say they have done a great job.

Streets Department

- Curb line clean up: P.W. Staff has been cleaning up the curb line sweeping debris, leaves and dirt out of the gutter pan.
- Storm Drain Box Cleaning: P.W. Staff have cleaned out five storm drain boxes on Yew St., Conwell St. and Sussex St.
- Chestnut Crossing: Waiting on response from the owner.
- Merriweather Sub-Division: The owner continues on working with SCD to get the storm pond work completed, after this they will work on the other items from the punchlist.
- Sidewalks Town Wide: Currently, 13 out of the 21 violations have been repaired, inspected and completed.
- Front Street Road, Curbing, Drainage and ADA Ramps Project: More information is being prepared for review.
- Town owned Sidewalks: P.W. Staff is making repairs on the brick sidewalks that the town owns. At this time, all of the concrete sidewalk repairs the town owns or needed to make repairs to have been completed.
- Street Lights: I am working with Delmarva Power on pole lights on Union St., Federal St. and in Memorial Park regarding the repairs. They have service line issues that they are trying to correct and will need to install new wires.

- Street Road Patches: Patches on Chestnut St., Federal St., Pine St. and Chandler St. have been completed.

Parks Department

- Park Clean up: P.W. Staff has started trimming bushes, limbs, cleaning up the flower beds and tree wells to get ready for mulching in all of the town's parks.
- Playground Equipment: P.W. Staff have cleaned all playground equipment, installed signage and the playground equipment has been opened to the public. Staff is disinfecting the equipment two times Monday – Friday and once on Saturday and Sunday.
- Boat Slips: All of the town's boat slips have been inspected and painted. They are ready for the season.
- Picnic Tables (wood): All tables have been repaired and painted ready for the season in Memorial Park.
- Plagues and Tree's: Two new plagues and trees have been planted in Memorial Park.

Project Updates:

Shipbuilders Treatment Facility, Chestnut St., Atlantic Ave., and Atlantic St., H.C. Phase 3A AND 3B punchlist inspections and plan reviews.

Recommendation(s):

Projects are moving along smoothly, work load is very heavy on P.W. Departments.



DEPARTMENT MONTHLY REPORT

Meeting: Milton Town Council - Apr 05 2021

Staff Contact: Derrick Harvey, Chief of Police

Department: Police

Subject: Police Department March Monthly Report

Departmental Highlights:

Milton Police conducted Traffic Calming Initiative March 17, 2021.

Staff has been conducting special duty assignments for truck and traffic issues.

Officers have been working OHS DUI and distracted driver special duties.

Lt. Harmon and Ptlm. Schoof received Crisis Intervention Team Training (CIT 40hrs).

Det./Cpl. Whitehouse attended an instructor level training to become in house trainer for defense tactics.

Milton PD Criminal Investigation Division identified the vehicle and possible suspect in robbery. Milton CID is working with other agencies as the investigation continues.

Emily Laurenzi joined the Milton Police Department as an officer with prior out of state law enforcement experience.

Attachments:

March Stats
highlights March 2021
march cover sheet

MILTON POLICE DEPARTMENT



PRIDE

INTEGRITY

Chief. Derrick L. Harvey

101 Federal Street • Milton • Delaware • 19968

Phone: (302) 684-8547 • Fax: (302) 684-8046

MILTON TOWN COUNCIL MEETING

Monday, April 05, 2021

POLICE REPORT FOR THE MONTH OF MARCH 2021

| | |
|---|-----|
| TOTAL COMPLAINTS | 106 |
| TOTAL CHARGES FOR THE MONTH(criminal + traffic) | 284 |
| ADULT ARRESTS | 12 |
| JUVENILE ARRESTS | 1 |

COMPLAINTS

| | |
|----------------------------|-----|
| ACCIDENTS | 5 |
| DUI | 1 |
| DOMESTICS | 6 |
| ASSIST OTHERS AGENCIES | 10 |
| OTHERS, CPC, ESCORTS | 84 |
| TOTAL COMPLAINTS FOR MONTH | 106 |

PATROL DATA, DOOR CHECKS, MAN HOURS

| | |
|---|--------|
| VEHICLE PATROL HOURS | 464 |
| INVESTIGATION / MISC HOURS(AOA,PAPERWORK,ETC) | 125.75 |
| FOOT PATROL HOURS | 26.25 |
| TOTAL MAN HOURS | 616 |
| PROPERTY AND DOOR CHECKS | 217 |
| TOTAL MILEAGE FOR MONTH | 2,917 |

| | |
|------------------------|----|
| MISDEMEANER AND FELONY | 25 |
| LOCAL FUGITIVES | 2 |
| OUT OF STATE FUGITIVES | 0 |
| TOTAL | 27 |

TRAFFIC CHARGES

| | |
|----------------------------|-----|
| VARIOUS TRAFFIC VIOLATIONS | 257 |
| | |
| TOTAL | 257 |

| | |
|----------|----|
| WARNINGS | 57 |
|----------|----|

PERSONNEL AS OF THIS REPORT

Fully Staffed

| | |
|---|----------------------------|
| 1 | CHIEF |
| 0 | CAPTAIN |
| 1 | LIEUTENANT |
| 0 | SERGEANTS |
| 1 | DETECTIVE |
| 1 | CORPORALS |
| 1 | PATROLMAN FIRST CLASS |
| 3 | PATROLMAN |
| 0 | RECRUIT/CADET |
| 1 | ADM. ASST. TO POLICE DEPT. |

Derrick L. Harvey

Derrick L. Harvey
Chief of Police

Date Submitted: 03/26/2021

MILTON POLICE DEPARTMENT



Chief Derrick L. Harvey

101 Federal Street • Milton • Delaware • 19968

Phone: (302) 684-8547 • Fax: (302) 684-8046

Monthly Highlights

March 2021

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Officers have been working OHS DUI and distracted driver special duties.

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Milton PD Criminal Investigation Division identified the vehicle and possible suspect in robbery. Milton CID is working with other agencies as the investigation continues.

Emily Laurenzi joined the Milton Police Department as an officer with prior out of state law enforcement experience.



Milton Police Department Monthly Report March 2021

Submitted by Chief Derrick L. Harvey



DEPARTMENT MONTHLY REPORT

Meeting: Milton Town Council - Apr 05 2021

Staff Contact: Tom Quass, Project Coordinator

Department: Code

Subject: Planning and Code Monthly Report

Departmental Highlights:

- Administratively approved 19 building permits. I denied one building permit because the site plan did not meet town code requirements. Referred appeal from applicant to P&Z Commission under §220-36.
- Completed multiple research requests for members of the various Boards and Commissions. Developed and presented background information the HPC for possible code revisions regarding administrative review of HPC applications.
- Answered various inquiries of Commission and Board members, Town Council, Staff and clients.
- Compiled agendas and assembled informational packages for various Commissions and Boards.
HPC - 2 applications approved at the 9 March meeting.
P&Z - Held public hearing for HC Phase 1 preliminary subdivision and site plan.
Record held open for additional corrections.
Held public hearing for Loblolly LLC preliminary site plan.
Approval granted.
- Attended virtual/electronic, and in person meetings of the Planning and Zoning Commission, Historic Preservation Commission, Town Council, and Staff Meetings as required.
- Attended an additional scoping meeting (virtual) with DELDOT for traffic study related to the Dexter property project.
- Attended ethics training for staff.
- Met with clients regarding application processes, and reviewed applications as needed.
- There was one complaint filed by tenants under Chapter 164 Rental Properties for faulty smoke detectors. All conditions corrected. Inspections completed by staff.

Project Updates:

- Cannery Village Phase IV awaiting final approval. Preliminary approval expires August 2021.
- TESI WWTP Project final approval slated for 20 April P&Z agenda.
- Dexter Property - Awaiting entrance approval from DELDOT for south eastern portion of the parcel for a convenience store/gas station site.

Attachments:

HPC Meeting 12JAN21 Minutes - Approved

P&Z Meeting 16FEB2021 Minutes - Approved

Code Report Cover Sheet March 2021

Code Enforcement REPORT MARCH 2021

Minutes for Historic Preservation Commission

Call to Order

A meeting of the HPC was held on 12 January 2021 at the Cannery Village Club House.. It began at 5:30 PM and was presided over by Dennis Hughes.

Attendees

Voting members in attendance included Dennis Hughes, PD Camenisch, and Allen Benson on site. Barbara Wagner, Lee Revis-Plank and David Dutton through virtual attendance.

Approval of Agenda

No corrections. Motion to approve by PD Camenisch and seconded by Allen Benson. Agenda was approved by unanimous aye votes.

Approval of Minutes

A motion to approve the minutes of the 08 December 2020 meeting was made by Allen Benson and seconded by PD Camenisch with unanimous aye approval.

Project Coordinator's Report

PD Camenisch requested that our Code Enforcement Officer inspect 206 Chestnut to ensure that siding work would be completed as approved. The Project Manager's Report was moved to approve by PD Camenisch, seconded by Allen Benson with a roll call vote of unanimous ayes.

Applicants

Name and Address: Gregory Hitz and Mary Quigley– 305 Federal Street

Proposal : To replace sixteen windows on the east and west bays. Replace front porch roofing with EPDM and eliminate existing interior gutter system.

Approval/Decision: Motion made to approve by PD Camenisch and seconded by Allen Benson with conditions that the windows are replaced with wood windows with true divided lights. Roll call vote of unanimous ayes.

Name and Address: Karen Bierman – 104 Mill Street

Proposal: Demo existing rear addition, construct new addition, replace existing windows, install new side door, replace existing roof with like material and replace front porch roofing material with tin.

Approval/ Decision: Motion to approve by Allen Benson and seconded by PD Camenisch with unanimous roll call vote.

Name and Address: John Agresti and Deborah Carbone-Agresti – 334 Union Street

Proposal: Replace asphalt roofing shingles with same.

Approval/Decision: Motion to approve by PD Camenisch and seconded by Allen Benson and approved by unanimous roll call vote.

Name and Address: Andrea and Philip Finestrauss – 112 Broad Street

Proposal: Replace asphalt roofing shingles with metal roofing.

Approval/Decision: Motion to approve by Allen Benson and seconded by PD Camenisch with approval by unanimous roll call vote.

Other Business

Contradictions in language in regard to Review Requirements in 220-21 D(8) and 220-21 E(2) presented by Tom Quass.

Adjournment

PD Camenisch moved that the meeting be adjourned, seconded by Allen Benson, at 6:55 PM with unanimous aye approval.

David W. Dutton

Secretary
Historic Preservation Commission

Approved at the 9 March 2021 HPC meeting by a vote of 4-0

February 16, 2021
Planning & Zoning Meeting Summary

Call to order: Dick Trask Chairman

Roll call of members: Dick Trask, Lynn Ekelund, Larry Lieberman, George Cardwell, Andy Gogates, Don Mazzeo, Maurice McGrath

Also Present: Tom Quass, Town Coordinator; Seth Thompson, Town Solicitor; Brian Miller Pennoni Engineering/Town Engineer; Legal Representative of Cellco, and Town Citizens

Additions and Corrections to agenda: Hearing none. Motion by George Cardwell to accept 2nd by Lynn Ekelund

Approval of synopsis of 1/19/2021. Motion to accept by Larry Lieberman 2nd by Andy Gogates.

Discussion and possible vote on request by Cellco Partnership for a special permitted use to allow for a Communications tower to be erected at 210 Front Street.

There was much discussion about this request by the commission during the meeting. The first question being whether it was able to be placed in a FEMA designated flood plain area. Also was it a Public utility or a private system? Mr. Thompson spoke about these being two different terms, considering the system and needed to compare the two definitions. And would need to send it to the Town council for review.

The commission also discussed the land and it's tendencies to be effected by rain storms and high tides on the river. How the contractor would need to build a deep base for the driveway to get into the area to handle the boring equipment. Also would they need to build a bulkhead around the base after the company core drills for the base of the tower.

After much more discussion on this, Mr. Thompson read and explained the section in the Town Code 220-34 on Special Permitted Use, and explained all of it.

Dick Trask referenced documents given to us by the applicant, pertaining to two lawsuits that provided some more clarity on property values, aesthetics, and location near historical designated areas.

Don Mazzeo and Lynn Ekelund both spoke about the placement of the tower in a gateway to Town, and that it may be in violation of our comprehensive plan.

Larry Lieberman spoke on how the tower as had been explained to us by the applicant. Would increase badly needed coverage to the Town area.

Dick Trask stated that to possibly move it to another area, if there was one suitable could also impinge on existing or future homes.

Lynn Ekelund wants to make sure that the proposed driveway/road will be built to accommodate fire trucks.

Don Mazzeo stated that the proposed tower does not conform to the comprehensive plan. And that it may be detrimental to the proposed waterfront district also the aesthetics of it are out of place to the area.

Dick Trask asked for a motion to approve the application with the added condition discussed, and to be drawn up by Mr. Thompson.

George Cardwell made the motion to approve 2nd by Andy Gogates

Vote Five: Aye, Nay: Two

New Business

Proposed amendment to Chapter 220, Art. IX SEC. 220-72 Discontinuance of nonconforming use.

Discussion by commission pertaining to proving intent of the property owner. If the property has been abandoned from zoned use for one year, the owner must go through the permit process again. But if there has been even minimal use of said property under the zoning then permitted use may stay.

Motion to send advisory report to Town Council as discussed and any change made by Mr. Thompson. Made by George Cardwell 2nd by Lynn Ekelund, Vote: Unanimous.

Motion to Adjourn by George Cardwell 2nd by Lynn Ekelund, Vote: Unanimous

Submitted by Maurice J. McGrath

Accepted and approved at the 16 March 2021 P&Z Commission meeting.

Town of Milton

115 Federal St

Milton, DE 19968



www.milton.delaware.gov

Phone: 302-684-4110

Fax: 302-684-8999

March 26, 2021

To: Mayor and Town Council

From: Robert Wilson, Code Enforcement Officer

Re: Code Department Monthly Report

Attached you will find a report containing the majority of the duties performed by the code enforcement officer for the month of March, 2021. I am able to elaborate on any, and all, of the duties that are present in this report, if necessary.

Please feel free to contact me if there are any questions and/or comments.

C.E. MONTHLY REPORT – MARCH 2021

| | | |
|-------------------------------|--------------------------|----------------------------|
| <u>Permits Issued:</u> | 704 Chestnut St. | Pave Section of Chestnut |
| | 110 Broadkill Rd. | Commercial Sign |
| | 404 Village Center Blvd. | Replace Rear Door |
| | 102 Union St. | Sign Install |
| | 210 Chandler St. | Replace Roofing Materials |
| | 301 Coulter St. | Fence |
| | 104 Wagamons Blvd. | Replace Decking Boards |
| | 200 Sundance Ln. | Paver Patio |
| | 326 Mariners Cr. | Finish Portion of Basement |
| | 201 Chandler St. | Replace Window & Door |
| | 306 Coulter St. | Single Family Dwelling |
| | 108 Federal St. | Commercial Signage |
| | 1003 Atlantic Ave. | Single Family Dwelling |
| | 108 Federal St. | Roof Repair |
| | 106 Wagamons Blvd. | Fence |
| | 204 Lake Dr. | Pole Building Addition |
| | 301 Union St. | Repair/Replace Fence |
| | 103 Federal St. | Replace Drywall in Apt. |
| | 300 Village Center Blvd. | Fence |

- Performed **10** Final Inspections to Close Permits
- Issued **66** Certificates of Occupancy/Compliance
- Performed **3** New Residential Rental Inspection

| | | |
|---------------------------|-----------------------|---|
| <u>Violations:</u> | Housing Standards | 2 |
| | Work w/o Bus. License | 7 |
| | Sidewalk Obstruction | 2 |
| | Nuisances | 3 |
| | Temp. Sign in ROW | 3 |
| | Building Construction | 1 |
| | Work w/o Permit | 2 |
| | Un-Reg. Vehicle | 2 |

| | | |
|---|-------------------|---|
| <u>Certified Letters Mailed:</u> | Housing Standards | 1 |
|---|-------------------|---|

C.E. MONTHLY REPORT – MARCH 2021

| | |
|------------------|---|
| Business License | 1 |
| Nuisances | 4 |
| Vehicles | 3 |

Business Licenses Issued:

| | |
|------------------------|----|
| General Services | 14 |
| Professional Services | 4 |
| Residential Contractor | 8 |
| Commercial Contractor | 5 |
| Merchant Retailer | 1 |
| Residential Rental | 3 |
| Garage | 1 |
| Kiosk | 1 |

3/01/21 – Spoke to a resident regarding construction hours & new construction grading.

3/01/21 – Investigated telephone complaint about poor final grading after construction.

3/03/21 – Spoke with contractor regarding setbacks and permits.

3/03/21 – Investigated complaint of fallen limbs accumulation on a property.

3/04/21 – Spoke with property owner about setbacks and obtaining a variance.

3/05/21 – Spoke with resident regarding building inspections.

3/05/21 – Spoke to contractor regarding licensing.

3/05/21 – Spoke with builder pertaining to new construction permit and inspection fees.

3/09/21 – Spoke with resident about permitting and swimming pools.

3/15/21 – Spoke to property owner regarding permitting for paving a driveway.

3/17/21 – Spoke with a resident about digging a deck footer near sewer cleanout.

3/18/21 – Spoke with prospective property owner about rental inspection and licensing.

3/22/21 – Spoke to a resident regarding mother-in-law suite and permitting.

3/22/21 – Spoke to contractor about business licensing.

C.E. MONTHLY REPORT – MARCH 2021

3/22/21 – Performed residential rental fire safety inspection at 703 S. Spinnaker Lane.

3/23/21 – Attended virtual Floodplain Community Rating System Workshop 9:00-4:30.

3/24/21 – Attended virtual Floodplain Community Rating System Workshop 9:00-4:30.

Town of Milton
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ORDINANCE NO. 2021-002

**AN ORDINANCE TO AMEND CHAPTER 220 OF THE TOWN CODE, ENTITLED
“ZONING,” REGARDING THE DISCONTINUANCE OF A NONCONFORMING USE.**

WHEREAS, the Charter of the Town of Milton vests power in the Mayor and Town Council to provide for and preserve the health, peace, safety, cleanliness, ornament, good order and public welfare of the Town and its inhabitants; and

WHEREAS, the Mayor and Town Council has the power to zone or district the Town and make particular provisions for particular zones or districts with regard to structures, building, and building material, and generally to exercise all powers and authorities vested in the legislative body of cities and incorporated towns under and by virtue of Chapter 3, Title 22 of the Delaware Code; and

WHEREAS, the Town Council of the Town of Milton has previously found it necessary for the aforementioned purposes to enact a zoning ordinance, codified as Chapter 220 of the Town Code; and

WHEREAS, pursuant to Chapter 220, the Town Council of the Town of Milton may, from time to time, on its own motion or on petition or upon recommendation by the Planning and Zoning Commission, amend, supplement or change the boundaries of the districts or the zoning regulations after public notice and hearing; and

WHEREAS, the Town of Milton Planning and Zoning Commission held a duly noticed hearing on February 16, 2021 and voted 7-0 in the Advisory Report received by Town Council; and

WHEREAS, The Town Council held a public hearing on April 5, 2021, as scheduled by prior resolution, with proper notice by publication as required by Town Code Section 220-101A; and

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Town Council of the Town of Milton, a majority thereof concurring, that the following revisions hereby be incorporated into Chapter 220 of the Town Code, entitled “Zoning,” in Section 220-72, entitled “Discontinuance of nonconforming use,” with deletions shown by strike-through and additions shown by underline:

Chapter 220. Zoning

Article IX. Nonconforming Buildings, Uses and Lots

§ 220-72. Discontinuance of nonconforming use.

- A. Any building or land which is used for or occupied by a nonconforming use and which is changed to or replaced by a conforming use, shall not thereafter be used for or occupied by a nonconforming use.
- B. When a nonconforming use has been discontinued for a period of one year, it shall be deemed abandoned, regardless of intent or lack thereof, and shall not thereafter be reestablished, and the future use shall be in conformity with the provisions of this chapter.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon its enactment.

I, THEODORE J. KANAKOS, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Town Council of the Town of Milton at its meeting held on the ____ day of _____, **2021**, following a duly noticed public hearing, at which a quorum was present and voting throughout and that the same is still in full force and effect.

MAYOR

SYNOPSIS

This ordinance amends the Town Code's zoning ordinance regarding when a nonconforming use (colloquially called a "grandfathered" use) is considered abandoned and, thus, prohibited from reestablishment. Specifically, the ordinance clarifies that deeming the use abandoned after it has been discontinued for a year or more does not factor in any intent (or lack thereof). By way of example, if a commercial use is a preexisting nonconforming use in a residential district and that commercial use ceases operation for a year, that use cannot be reestablished, regardless of whether the owner, tenant, or any other person intended to abandon the commercial use. The structure would then need to be used in conformity with the uses available in its residential district.

Town of Milton

115 Federal St

Milton, DE 19968



www.milton.delaware.gov

Phone: 302-684-4110

Fax: 302-684-8999

1 April 2021

To: Mayor and Town Council

From: Thomas R. Quass

Re: Monthly Report, Project Coordinator

The following activities occurred during the period covering 03/01/2021 - 03/26/2021

- Administratively approved 17 building permits. I denied one building permit because the site plan did not meet town code requirements. Referred appeal from applicant to P&Z Commission under §220-36.
- Completed multiple research requests for members of the various Boards and Commissions. Developed and presented background information the HPC for possible code revisions regarding administrative review of HPC applications.
- Answered various inquiries of Commission and Board members, Town Council, Staff and clients.
- Compiled agendas and assembled informational packages for various Commissions and Boards.
 - HPC - 2 applications approved at the 9 March meeting.
 - P&Z - Held public hearing for HC Phase 1 preliminary subdivision and site plan.
 - Record held open for additional corrections.
 - Held public hearing for Loblolly LLC preliminary site plan.
 - Approval granted.
- Attended virtual/electronic, and in person meetings of the Planning and Zoning Commission, Historic Preservation Commission, Town Council, and Staff Meetings as required.
- Attended an additional scoping meeting (virtual) with DELDOT for traffic study related to the Dexter property project.
- Attended ethics training for staff.
- Met with clients regarding application processes, and reviewed applications as needed.
- There was one complaint filed by tenants under Chapter 164 Rental Properties for faulty smoke detectors. All conditions corrected. Inspections completed by staff.

Minutes for Historic Preservation Commission

Call to Order

A meeting of the HPC was held on 12 January 2021 at the Cannery Village Club House.. It began at 5:30 PM and was presided over by Dennis Hughes.

Attendees

Voting members in attendance included Dennis Hughes, PD Camenisch, and Allen Benson on site. Barbara Wagner, Lee Revis-Plank and David Dutton through virtual attendance.

Approval of Agenda

No corrections. Motion to approve by PD Camenisch and seconded by Allen Benson. Agenda was approved by unanimous aye votes.

Approval of Minutes

A motion to approve the minutes of the 08 December 2020 meeting was made by Allen Benson and seconded by PD Camenisch with unanimous aye approval.

Project Coordinator's Report

PD Camenisch requested that our Code Enforcement Officer inspect 206 Chestnut to ensure that siding work would be completed as approved. The Project Manager's Report was moved to approve by PD Camenisch, seconded by Allen Benson with a roll call vote of unanimous ayes.

Applicants

Name and Address: Gregory Hitz and Mary Quigley– 305 Federal Street

Proposal : To replace sixteen windows on the east and west bays. Replace front porch roofing with EPDM and eliminate existing interior gutter system.

Approval/Decision: Motion made to approve by PD Camenisch and seconded by Allen Benson with conditions that the windows are replaced with wood windows with true divided lights. Roll call vote of unanimous ayes.

Name and Address: Karen Bierman – 104 Mill Street

Proposal: Demo existing rear addition, construct new addition, replace existing windows, install new side door, replace existing roof with like material and replace front porch roofing material with tin.

Approval/ Decision: Motion to approve by Allen Benson and seconded by PD Camenisch with unanimous roll call vote.

Name and Address: John Agresti and Deborah Carbone-Agresti – 334 Union Street

Proposal: Replace asphalt roofing shingles with same.

Approval/Decision: Motion to approve by PD Camenisch and seconded by Allen Benson and approved by unanimous roll call vote.

Name and Address: Andrea and Philip Finestrauss – 112 Broad Street

Proposal: Replace asphalt roofing shingles with metal roofing.

Approval/Decision: Motion to approve by Allen Benson and seconded by PD Camenisch with approval by unanimous roll call vote.

Other Business

Contradictions in language in regard to Review Requirements in 220-21 D(8) and 220-21 E(2) presented by Tom Quass.

Adjournment

PD Camenisch moved that the meeting be adjourned, seconded by Allen Benson, at 6:55 PM with unanimous aye approval.

David W. Dutton

Secretary
Historic Preservation Commission

Approved at the 9 March 2021 HPC meeting by a vote of 4-0

February 16, 2021
Planning & Zoning Meeting Summary

Call to order: Dick Trask Chairman

Roll call of members: Dick Trask, Lynn Ekelund, Larry Lieberman, George Cardwell, Andy Gogates, Don Mazzeo, Maurice McGrath

Also Present: Tom Quass, Town Coordinator; Seth Thompson, Town Solicitor; Brian Miller Pennoni Engineering/Town Engineer; Legal Representative of Cellco, and Town Citizens

Additions and Corrections to agenda: Hearing none. Motion by George Cardwell to accept 2nd by Lynn Ekelund

Approval of synopsis of 1/19/2021. Motion to accept by Larry Lieberman 2nd by Andy Gogates.

Discussion and possible vote on request by Cellco Partnership for a special permitted use to allow for a Communications tower to be erected at 210 Front Street.

There was much discussion about this request by the commission during the meeting. The first question being whether it was able to be placed in a FEMA designated flood plain area. Also was it a Public utility or a private system? Mr. Thompson spoke about these being two different terms, considering the system and needed to compare the two definitions. And would need to send it to the Town council for review.

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Dick Trask asked for a motion to approve the application with the added condition discussed, and to be drawn up by Mr. Thompson.

George Cardwell made the motion to approve 2nd by Andy Gogates

Vote Five: Aye, Nay: Two

New Business

Proposed amendment to Chapter 220, Art. IX SEC. 220-72 Discontinuance of nonconforming use.

Discussion by commission pertaining to proving intent of the property owner. If the property has been abandoned from zoned use for one year, the owner must go through the permit process again. But if there has been even minimal use of said property under the zoning then permitted use may stay.

Motion to send advisory report to Town Council as discussed and any change made by Mr. Thompson. Made by George Cardwell 2nd by Lynn Ekelund, Vote: Unanimous.

Motion to Adjourn by George Cardwell 2nd by Lynn Ekelund, Vote: Unanimous

Submitted by Maurice J. McGrath

Accepted and approved at the 16 March 2021 P&Z Commission meeting.

Town of Milton

*115 Federal St
Milton, DE 19968*



www.milton.delaware.gov

Phone: 302-684-4110

Fax: 302-684-8999

Memorandum

5 April 2021

TO: Mrs. Kristy Rogers, Town Manager

FROM: Tom Quass, Project Coordinator

RE: Milton Attainable Housing Land Development Plan

Milton Attainable Housing (AKA Clifton Property) received approval for annexation of parcels 235-14.00-123.00 (24716 Broadkill Road), 235-14.00-123.01 (24700 Broadkill Road), 235-14.16-1.00, 235-14.16-2.00, 235-14.16-3.00, 235-14.16-4.00. The plan presented is similar to the concept plans that were reviewed during the annexation process.

In accordance with Town Code §188-31 C., it is requested that the Town Council review the plan and forward with or without comments to the P&Z Commission for site plan review.

Town of Milton

115 Federal Street
Milton, DE 19968



www.milton.delaware.gov

Phone: 302-684-4110

Fax: 302-684-8999

Planning and Zoning Site Plan Application

Applicant/Agent Name: Milton Attainable Housing, LLC

Applicant/Agent Address: 18949 Coastal Hwy, Suite 301 Rehoboth Beach DE 19971

Applicant/Agent Telephone: (302) 245-5769

Property Owners Name: Milton Attainable Housing, LLC c/o Eric Sugrue

Property Owner Address: 18949 Coastal Hwy, Suite 301 Rehoboth Beach, DE 19971

Property Owner Telephone: (302) 245-5769

Property Location: Southwest corner of Beach Highway (RT 16) and County Road (SCR22A)

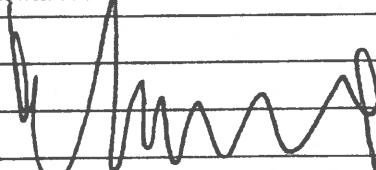
Sussex Co. Tax Map/Parcel: 2-35-14.00-123.00 & 123.01, 2-35-14.16-1.00, 2.00, 3.00, 4.00

Property Size: 26.588 +/- existing acreage, 26.125 +/- proposed acreage

Present Zoning: R-3 & C-1

Zoning Set Backs: Front Yard: 30' Side Yard: 25' Rear Yard: 25'

Description of Request: Submitting for preliminary approval of 240 total residential unit with future commercial. Consisting of 240 total residential units - 144 multi-family units with clubhouse and 96 stacked townhouse units.

Signature:  Date: 2/25/2021

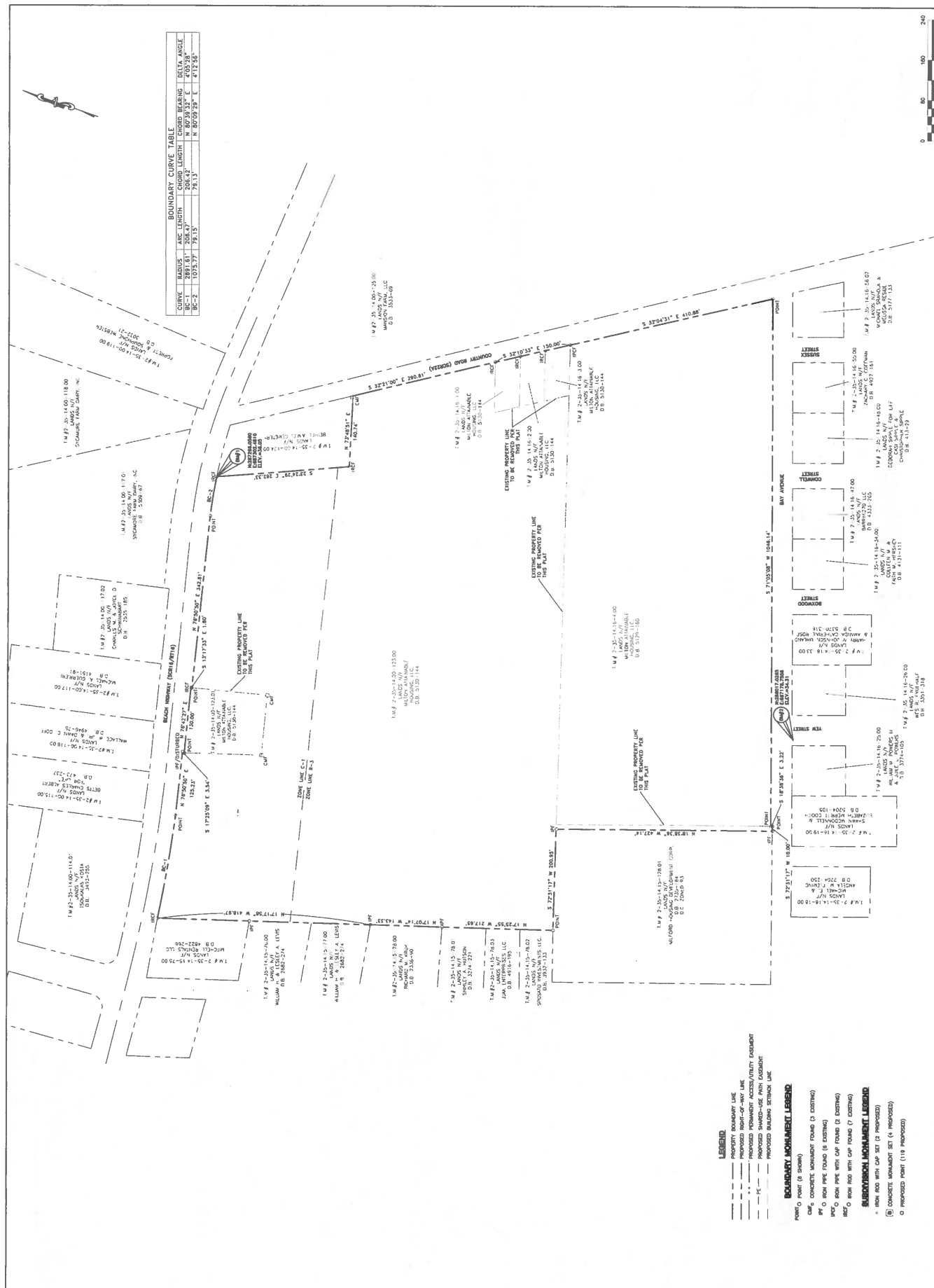
Application Fee: \$100.00 plus \$1,000.00 escrow deposit per current fee schedule

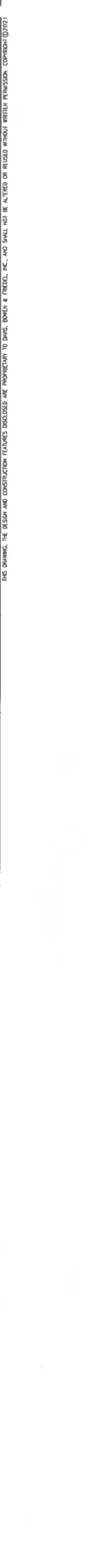
Site Plans: 10 printed sets and an electronic plan set due at time of application

Office use only

Date Received: _____

P & Z Number: _____





Memorandum of Understanding
Between
The Milton Community Foundation, The Milton Historical Society and The
Town of Milton

This Memorandum of Understanding ("MOU") is made and entered into as of March XX, 2021 (the "Effective Date"), by and between the Milton Community Foundation (MCF), with an address at P.O. Box 12, Milton, Delaware 19968 and the Milton Historical Society (MHS), with an address at 210 Union Street, Milton, Delaware 19968 and the Town Of Milton with an address of 115 Federal Street, Milton, Delaware 19968 as represented by the signatories of this agreement. This Memorandum of Understanding sets forth the understanding of the parties related to the creation, installation, ownership and on-going maintenance of the Bryan Stevenson plaque and surrounding area. This MOU or any written successor memorandum shall remain in effect for at least 12 months following the Effective Date. This MOU will remain effective beyond 12 months and will continue indefinitely unless either party provides the other at least 30 days written notice of the effective termination date.

WHEREAS, in connection with the creation, installation, ownership and on-going maintenance of the Bryan Stevenson plaque and surroundings, the parties who wish to set forth their current understanding and certain agreements made to date with respect to the following:

1. **BACKGROUND.** To honor and recognize Bryan Stevenson for his past, present and future life work dedicated to protecting the basic human rights for those most vulnerable, ending mass incarcerations and excessive punishment and challenging racial and economic injustice, the MCF has undertaken a project to place a plaque on the property of the MHS. Included in this effort are items; i.e. hardscape, plantings, etc., to make this a special place in the Town of Milton.
2. **PURPOSE.** The purpose of this MOU is to set forth certain understandings of the parties in relation to the terms and conditions to be agreed between MCF, MHS, and the Town of Milton.
3. **UNDERSTANDINGS.** The parties set forth their understandings under this MOU with respect to the parties' agreement as follows:
 - a. Decisions regarding the design of the plaque will be made by the MCF.
 - b. The MCF assumes the cost of obtaining and installing the plaque.
 - c. Within two weeks after the plaque dedication event, the MHS agrees to having it prominently mounted on its mounting pole outside the MHS Museum facing the Union Street sidewalk with the cost of installation to be paid for by the MCF.

- d. Upon the installation of the plaque, the MCF turns over ownership of the plaque to the MHS.
- e. Upon completion of the renovation of the vacant MHS property, the MHS agrees to reinstall the plaque at an appropriate place on the renovated lot facing Union Street.
- f. Upon receipt of ownership of the plaque, the MHS agrees to assume the responsibility for maintaining the plaque in perpetuity, and in the event that the property on which the plaque is located is sold, the MHS agrees to pay for and move the plaque next to the museum, and facing Union Street, or to arrange with the Town of Milton to relocate the plaque to Mill Park or Milton Memorial Park. In addition, if circumstances change that no longer permit the MHS to maintain ownership of the plaque, MCF and MHS will work with the Town of Milton to relocate the plaque to Mill Park or Milton Memorial Park.


IN WITNESS WHEREOF, by their signatures below, the parties have caused this Memorandum of Understanding to be executed and effective as of the Effective Date.

Milton Community Foundation
Steve Crawford - President



3/24/21
DATE

Milton Historical Society
Randy Brown - President



3/24/21
DATE

Town of Milton
Kristy Rogers - Town Manager

DATE

Milton Chamber of Commerce

MEMORANDUM

To: Milton Town Council

From: Milton Chamber of Commerce

The Milton Chamber of Commerce would like to officially request to close a portion of Magnolia Street as part of the Horseshoe Crab & Shorebird Festival this year. This request is to close only the portion of the street located between the two parking lot entrances so that the parking lot could still be used throughout the day. The festival is being proposed for Saturday, May 29th, 2021, 9am to 3pm.

As seen in the attached layout, the Annual Horseshoe Crab & Shorebird Festival is being proposed to happen on the Milton Historical Society lot this year for the following reasons:

- 1) to allow for maximum social distancing among vendors, activities, food vendors, and sitting areas,
- 2) to better monitor attendance at the event as may be required,
- 3) to bring the festival out on to the main street through town and to incorporate music from the theatre's quayside if possible, and
- 4) to change things up in general. This festival has run for years in the same manner. With a few changes, the Chamber hopes to spark renewed interest in this festival and bring additional Delaware citizens and tourists to Milton.

We do appreciate that we received approval to close this portion of Magnolia Street for the 2020 Bargains on the Broadkill festival, even though we could not move forward at that time with an expanded event as we had hoped. We did however successfully hold an outdoor, open to the public event in the park that did meet the Delaware Department of Health's standards and where there was no apparent spread of the COVID-19 virus. As we did with that event, we have submitted a Health & Safety plan for this festival to the DE Department of Health and expect to hear back soon. Obviously, all planning of this event depends on the approval of that plan. The Chamber will keep the Town of Milton up to date on the status of that plan.

Thank you for your consideration of this request. Please just ask if any additional information would be helpful in making a determination.

Thank you,

The Milton Chamber of Commerce Board of Directors

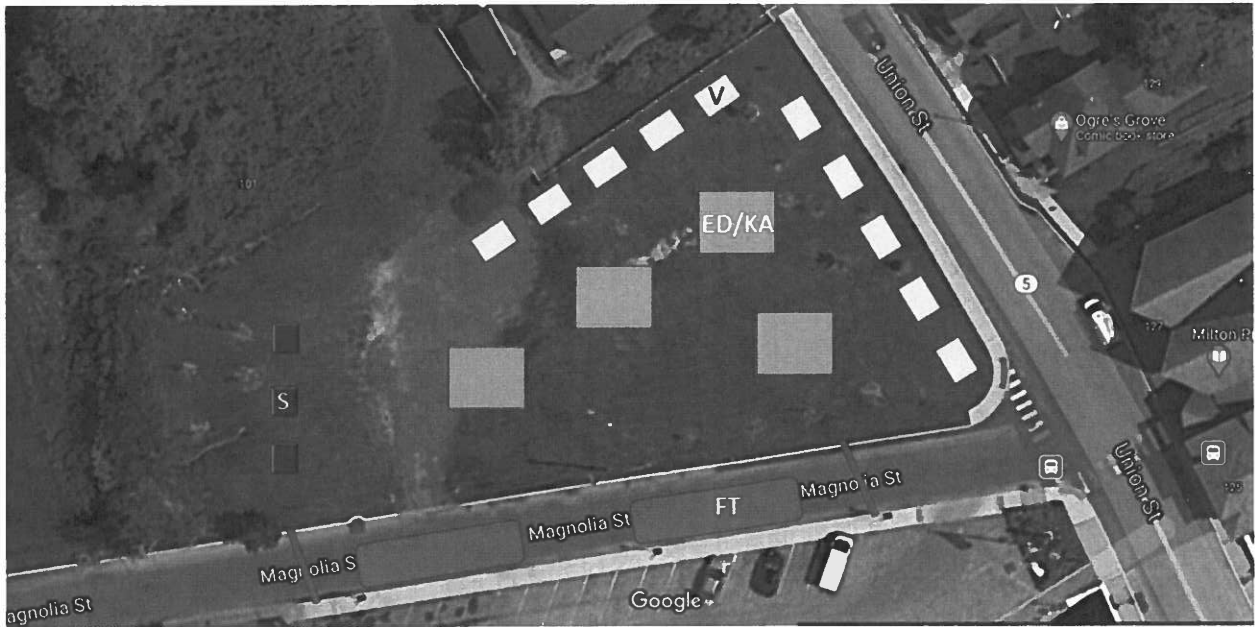
***Request to close section of Magnolia Street between the two red lines. Parking lot will be used.**

Yellow – Vendors, spaced 8 ft apart (10)

Green – Educational Displays/Kids Activities (4)

Blue – Food trucks (2)

Purple – Seating



1/2 inch = 23.33 feet